

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT**

**KENNETH BAILEY,
Plaintiff**

v.

**MICHELLE COGBURN, ALICIA COX,
SANDY GLENN, M. BRISCOE,
C. HARRIS, CORRECTIONS
CORPORATION OF AMERICA,
Defendants**

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File No. 1:07-CV-106

ORDER

The Magistrate Judge's Report and Recommendation was filed June 11, 2008. (Paper 30.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Plaintiff's motion to amend complaint (Paper 27) is DENIED. Defendants' motion to dismiss (Paper 25) is GRANTED to the extent that this case shall be transferred to Oklahoma.

Accordingly, the Court hereby transfers this case to the United States District Court for the Western District of Oklahoma, pursuant to 28 U.S.C. § 1406.

WHEREFORE, it is hereby

ORDERED, that the Clerk of Court transfer this action to the United States District Court for the Western District of Oklahoma; and it is further

ORDERED, that ten (10) days after the date of the service of this Order, the Clerk is instructed to notify the Clerk of the United States District Court for the Western District of Oklahoma, by sending a certified copy of this Order, along with a letter that provides instructions for obtaining a read-only, court user account for use in obtaining (retrieving) the electronic record of this case from the District's CM/ECF database; and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties by regular mail.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 9th day of July, 2008.

/s/ J. Garvan Murtha
J. Garvan Murtha
United States District Judge